

CHAPTER 38*(New 01/13/15)***TRANSIT ORIENTED
DEVELOPMENT ZONE (TOD)**

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Section 38.010. Purpose and Intent.

The Transit Oriented Development (TOD) Zone is established to provide for the implementation of the Lehi City General Plan and to reduce automobile dependence by creating self-sustaining, walkable neighborhoods, in which residents may walk to work, shopping, and recreational opportunities, and have access to mass transit. These neighborhoods are to be located in areas with existing or probable future transit choices, including TRAX and Front-Runner. Lehi City finds that TODs benefit the general health and welfare of the inhabitants of Lehi City by fulfilling existing housing, transportation and employment needs. While TOD does not eliminate the necessity or preclude the choice of using an automobile, it provides an alternative for those who cannot drive or prefer not to get into personal vehicles for every trip, and balances street design so that it accommodates driving, walking, biking, and taking transit. The purpose and intent of the TOD Zone is to:

- A. Require a complementary mix of land uses, including moderate and/or high density residential, horizontally or vertically, within ¼ mile walking distance of transit stations to increase transit ridership;
- B. Foster a sense of place through the creation of mixed-use centers that combine residential uses with diverse economic activity;
- C. Create a pedestrian-friendly environment to encourage walking, bicycling and transit use, and to limit traffic congestion and automobile dependence;

D. Provide an alternative to traditional development by emphasizing mixed use, compact site design, and land uses oriented for the pedestrian;

E. Create a neighborhood identity that promotes pedestrian activity, human interactions, safety and long-term livability;

F. Reduce auto dependency and roadway congestion by locating multiple destinations and trip purposes within walking distance of one another; and

G. Provide a range of housing options for people of different income levels and at different stages of life.

A TOD should build upon the community's existing identity and serve as a mechanism for communicating that identity to others. The development should create a community focus at which people will be present at all times of the day, creating a stimulating and meaningful public environment. New development should contain a similar character and scale to existing development, so as to respect existing contexts and historic structures, and should create a sustainable neighborhood, in which residents and business owners make a long-term investment in the community.

An application for approval of a TOD Zone is a request by the applicant for additional flexibility beyond that allowed by traditional zoning within the City. It is the sole responsibility and burden of the applicant to convince the Planning Commission and City Council that the proposed TOD zone is preferable to traditional zoning. Approval is at the discretion of the City Council.

Section 38.020. TOD Zoning Description.

Each Transit Oriented Development shall include a cohesive mixture of complementary land uses, including commercial and/or office uses, which will provide service and employment opportunities to residents within the community. Commercial uses should focus on retail, restaurant, and other service-oriented type uses, as well as professional office, institutional, entertainment, and civic uses, which will provide employment opportunities. Residential uses shall employ a variety of housing types and lot sizes and shall be pedestrian-oriented neighborhoods, designed in a manner as to encourage walkability and transit uses, with the highest densities centered adjacent to transit stops. Open spaces should enhance the pedestrian experience, and enable the use of public transit opportunities. The incorpora-

tion of one (1) or two (2) of these elements does not make a TOD; the combination of all of these elements is necessary for a TOD.



Section 38.030. Minimum Eligibility Requirements.

In order to achieve the purposes of this Chapter, the establishment of a TOD requires a minimum area of ten (10) contiguous acres or larger. The site must also be immediately adjacent to an existing or future transit stop along a rail line.

Section 38.040 Allowed Uses.

Any use identified as a permitted or conditional use by this Code, or other use proposed by the applicant, may be an allowed use in a TOD; however each requested use must be authorized through an Area Plan, which has been approved and adopted by the City Council pursuant to the provisions of Chapter 15, Area Plans, of this Code. Proposed uses will be reviewed for compatibility within the TOD as well as compatibility with allowed uses in adjacent zones.

Each TOD shall incorporate a mix of uses, both commercial and residential. A minimum of ten percent (10%) of the gross floor area shall be commercial use, as defined by Section 38.020 of this Code.

Section 38.050 Establishment of a TOD Zone.

A. General Plan Amendment. Unless an area has been previously designated as TOD Land Use as part of the Lehi City General Plan Land Use Element, all areas proposed for development as a TOD shall require a General Plan Amendment in accordance with Chapter 4, Amendments, of this Code.

B. Concept Plan. Concurrent with any request

to amend the Land Use Element of the General Plan to a TOD designation, a Concept Plan shall be submitted. A Concept Plan must be approved by the City Council, following Planning Commission and Development Review Committee review, prior to property being designated as a TOD.

1. The Concept Plan gives the applicant, staff, Planning Commission and City Council an opportunity to discuss the TOD prior to the General Plan land use being established and prior to the preparation of a more detailed Area Plan. The applicant can use the Concept Plan meetings to ask questions, and receive direction on project layout as well as discuss the procedure for approval, the specifications and requirements for layout of streets, drainage, water, sewerage, fire protection, mitigation of environmental impacts, and similar matters, and the availability of existing services.

2. The proposed density of the TOD will be discussed as part of the Concept Plan; however the final total density of the TOD development shall be established only as part of the approval and adoption of an Area Plan.

3. The City may also advise the applicant, where appropriate, to discuss the proposed TOD with those agencies who must eventually approve those aspects of the development coming within their jurisdiction, including but not limited to, the Alpine School District, and the various utility service providers. Neighbors of the proposed TOD should also be consulted to get their views and concerns.

4. The Concept Plan shall cover the entire area proposed as a TOD Zone and shall identify in general terms the following:

- (a) Proposed land uses.
- (b) Overall layout and locations of uses including potential civic/religious uses.
- (c) Proposed density/intensity of uses and a description of amenities if a density bonus is proposed.
- (d) Major infrastructure improvements that may be necessary.
- (e) Proposed site-planning standards including architecture and materials of buildings.
- (f) Park areas, open space areas, trails and other community amenities.

- (g) Proposed landscaping, buffering, and transitioning treatments.
- (h) Location of any critical lands.
- (i) All other issues that must be addressed to allow a thorough informed review by the Staff, Planning Commission and City Council of the proposed Concept Plan.

5. To accommodate requests for changes to the Concept Plan, the City may allow the Concept Plan to be amended. Amendments shall follow the same requirements for initial approval of a Concept Plan including review by Staff, Planning Commission and City Council.

6. A Concept Plan shall be effective for a period of two (2) years from the date that the Concept Plan is approved by the City Council, at the end of which time an application for a Zoning Map amendment and Area Plan shall have been submitted and under review by the City. If an application for Area Plan approval in conjunction with an application for a Zoning Map Amendment to the TOD Zone has not been filed within the two (2) year period the Concept Plan shall be void. The City Council may grant an extension of the Concept Plan according to the provisions of Section 10.120.

7. Properties designated as a TOD Land Use for which the Concept Plan has become void shall require the applicant to submit a new Concept Plan for approval subject to the then existing provisions of this Code and General Plan.

8. Properties designated as a TOD Zone on the Lehi City Zoning Map or properties designated as a TOD Land Use on the General Plan Land Use map prior to the effective date of this Chapter for which a concept plan has not been approved shall require the applicant to submit a Concept Plan according to these provisions prior to any application for an Area Plan or Zoning Map Amendment to the TOD Zone.

C. Zoning Map Amendment and Area Plan Approval. Following approval of a General Plan Amendment and review of a Concept plan by the City Council, the applicant may prepare a Zoning Map Amendment and an Area Plan pursuant to the provisions of Chapter 4 and Chapter 15 of this Code. The establishment of a TOD Zone requires the review, approval and adoption by the City Council, following receipt of a DRC and Planning Commission recommendation, of an Area Plan for those

properties proposed for a TOD Zone. Prior to approval and adoption of an Area Plan the DRC, Planning Commission and City Council shall verify that the TOD development follows the general layout of the Concept Plan. The Area Plan must comply as closely as possible with the Concept Plan, and shall cover at least ten (10) acres.

Section 38.060. Required Open Space.

A. A minimum of ten percent (10%) of the total gross acreage in a TOD shall be developed as open space, as defined in Chapter 36, Definitions, of this Code. For the purposes of this Chapter, the open space areas within a TOD must be constructed by the developer as a part of the TOD project, and may “urbanized” open spaces, in addition to more traditional open spaces areas such as parks and playgrounds.

B. Urbanized open spaces are defined in this section as built open spaces for public congregation and recreational opportunities, as opposed to natural open spaces consisting mainly of plantings. Urbanized open spaces may be located on the roofs of buildings, or enclosed on the ground floor inside buildings. All open spaces shall be easily observed from the street or pedestrian areas and shall be accessible to the users of the buildings, and shall be improved with seating, plantings, plazas, fountains, pavilions, gardens, or other similar amenities.

C. Open spaces within a TOD should be engaging, high quality public spaces (e.g. small parks or plazas) as organizing features and gathering places for the neighborhood.

D. The open space may be held in common, administered by a homeowners association, dedicated to Lehi City upon acceptance by the City Council, or used to provide amenities in the development. Maintenance of the open space is the responsibility of the owner of the development if held in single ownership, or a homeowners association if the dwellings are sold separately, unless dedicated to Lehi City and accepted by the City Council.

Section 38.070 Design Standards.

Development within a TOD should promote an attractive, unified architectural design. Development

should be planned as one complex land use with a common architectural design theme that provides variety within a context of architectural compatibility, rather than an aggregation of individual, unrelated buildings located on separate, unrelated lots. The Design Standards of a TOD are intended to create a pedestrian friendly environment. The following standards are intended to ensure good building and overall site design, good architectural design and visual appearance, street layout, parking design, pedestrian design, and other provisions of this Code relating to public health, safety, and general welfare of the overall community.

A. Building Facades and Entry Ways.

1. The front façade of all principle buildings shall face onto the street, and shall not be oriented towards a parking lot or parking structure. All buildings shall be setback as near the sidewalk edge with as minimal a setback as possible.
2. Porches, roof overhangs, hooded front doors, and other architectural façade elements shall define the front entrance to all principle structures.
3. For commercial, retail, and office buildings, a minimum of fifty percent (50%) of the front façade on the ground floor shall be transparent, consisting of true window or door openings allowing views into and out of the interior of the building.
4. Buildings should have a visually distinct base that creates a welcoming environment for pedestrians. The lowest level of the building should have more mass and bulk in order to be clearly delineated and scaled.
5. Planters and window boxes for flowers and climbing vines are encouraged as building façade enhancement features.
6. Building facades must be aesthetically interesting and pleasing and should avoid a uniform building style.
7. Architectural style, colors, and materials should be compatible throughout the TOD.

8. All building and structures, including residential buildings and dwellings, shall conform to the Commercial Design Standard from Chapter 37 of the Development Code.



- #### B. Street Patterns.
- Street patterns shall be oriented along a grid, as opposed to cul-de-sac and curvilinear street designs. Within the grid are sidewalks and streetscapes that encourage walking, and narrow streets and other traffic calming features that favor pedestrian activities.

C. Streetscapes.

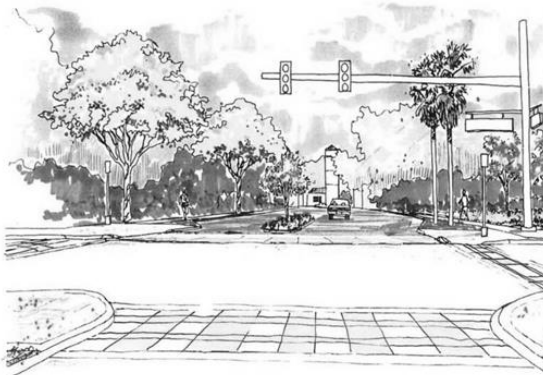
1. Building line frontages contribute to the public streetscape and therefore are subject to more regulation than the rest of the lot. Building shall be placed as close to the street space as possible with orientation to the pedestrian. Parking lots shall not be located along street frontages, but at the rear of lots and screened from street view where possible.
2. Street trees shall be provided on all street frontages, at a minimum of one (1) tree for every twenty-five (25) feet of right-of-way. Street trees may be clustered and need not be evenly spaced. Trees should be placed within park strip areas.
3. All sidewalks, trails, and walkways shall be a minimum of five (5) foot in width.
4. Park strips are required on all streets, except alleys, within each TOD. Within commercial areas, park strips shall serve the purpose of allowing for quick stops and shopping. In residential areas, park strips shall serve as buffers between pedestrian walkways and streets.

5. Alleys and interior block spaces shall be allowed and encouraged in all TODs. Alleys serve as alternate routes to garages and loadings docks that are unseen by the public and therefore contribute to a pedestrian-friendly environment. The private, interior portions of the lots (toward the alley) allow commercial operators to utilize these spaces as efficient working environments unseen by the public and allow residents to have private and semi-private gardens and courtyards. Alleys are to be the primary access to parking areas and garages.



D. Street Design.

1. Traffic calming is intended to slow or reduce motor-vehicle traffic in order to improve pedestrian safety. TODs shall provide traffic calming measures, including but not limited to bulb-outs, chokers, and pedestrian refuges.



2. Bicycle parking facilities must be located in a secure and well-lit area within fifty (50) feet of a commercial building or common facility entrance. Long-term bicycle parking facilities located within structures is encouraged.

3. Bike paths, lanes, and sharrows shall be provided, and shall be clearly delineated from the rest of the street place with a demarcated path

4. Street medians are encouraged for all major collector rights-of-way. Medians serve to improve the aesthetic quality of the area, as well as a mid-block resting place for street crossings. Medians should be a minimum of five (5) feet wide at intersections and crosswalks and a minimum of three (3) feet wide at other portions of the road.

E. Sidewalks and Pedestrian Circulation.

1. Convenient pedestrian circulation systems shall be provided to minimize pedestrian-auto conflict, and shall be provided continuously throughout each TOD. All streets, except for alleys, shall be bordered by sidewalks on both sides of the right-of-way, in accordance with the Lehi City Design Standards and Specifications.

2. Pedestrian walkways shall connect building entrances to each other and connect building entrances to sidewalks, public streets, and transit stops.

3. Where practical, pedestrian walkways shall be raised above grade of streets, drives, parking lots, and other paved areas. Where pedestrian walkways cannot be raised, they shall be constructed of a material differing in texture.

4. Benches, awnings, canopies, and other types of street furniture shall be placed in areas as to benefit the pedestrian experience.

F. Signage.

1. Proper design and placement of signs and their lighting shall be compatible with structures and uses.

2. The number of signs on a structure shall be limited and placed in areas that contribute to the architecture of the building. Signs shall not overpower a storefront nor obscure display windows or significant building features.

3. Wall signs, awning signs, canopy signs, projecting signs, and suspended signs shall be encouraged.

4. Monument signs and directional signs are discouraged. If approved, the maximum height of a monument sign shall be four (4) feet in height and shall be used to advertise by multiple tenants and/or users.

5. Signs with Electronic Message Display, as defined by Chapter 23 of the Development Code, shall not be permitted in the TOD Zone.

6. Pole signs, as defined by Chapter 23 of the Development Code, shall not be permitted in the TOD Zone.

G. High Density Development Standards. For the purposes of this Section, all residential areas at a density of eight (8) units or higher shall be considered high density, and the following standards shall apply. These standards are considered as minimum requirements and must be met regardless of whether the applicant is requesting a density bonus. However, if a density bonus is being requested, the applicable standards required by this section may be used as part of the requirement to obtain a density bonus under the provisions of this chapter.

1. Materials. The exterior of the buildings or structures shall be constructed using brick, stucco, stone, or fiber-cement siding, except roofing materials, eaves, cornices and accent features. Cinder block and other similar materials shall not qualify.

2. Landscaping. All open areas not covered by residential buildings or structures, parking, or permitted accessory structures shall be attractively landscaped and maintained. Each Multi-Family project shall submit a complete landscaping and irrigation system plan. The initial landscaping plan shall include at least one (1) tree for every two (2) dwelling units, half of which shall be coniferous evergreen trees. The coniferous trees shall be at least eight (8) feet in height and the deciduous trees shall be at least two (2) inches in caliper. Additionally, there shall be no less than one shrub of five (5) gallon size for each two (2) dwelling units. All other landscaped grounds must contain grass or other ground cover approved on the landscaping plan. The landscaping plan is an essential part of the

project and the project shall not be approved prior to approval of the landscaping plan.

3. Amenities. Each multi-family project in high-density areas shall include appropriate amenities for the residents of the project. Because each project will be different in nature, the amenities are likely to be different. As a general rule, there shall be picnic areas with tables and barbecue areas, active recreation areas with sport courts, swimming pools, tennis courts, playgrounds, clubhouses etc., and passive recreation (lawn) areas. The amount of amenities required shall be in proportion to the proposed number of units in the development. The following amenities shall be provided according to project size or comparable equivalent amenities as recommended by the Planning Commission and approved by the City Council:

(a) Projects with less than ten (10) units shall furnish picnic areas with tables and barbecue areas.

(b) Projects with ten (10) to thirty (30) units shall furnish picnic areas with tables and barbecue areas, a sport court with at least five hundred (500) square feet, and a playground complete with equipment.

(c) Projects with thirty (30) to fifty (50) units shall furnish picnic areas with tables and barbecue areas, a sport court with at least five hundred (500) square feet, two (2) playgrounds complete with equipment, and a clubhouse used for gatherings of residents not less than seven hundred and fifty (750) square feet in size complete with restrooms.

(d) Projects with more than fifty (50) units shall furnish picnic areas with tables and barbecue areas, a sport court with at least five hundred (500) square feet, three (3) playgrounds complete with equipment, a clubhouse used for gatherings of residents not less than seven hundred and fifty (750) square feet in size complete with restrooms, and either a regulation size tennis court or a sub-surface swimming pool no less than twenty (20) feet by forty (40) feet in size.

5. Fencing standards. Multi-family projects in high-density areas shall be fenced on at least three sides by a six (6) foot sight obscuring vinyl or masonry fence unless it can be demonstrated that the fence is unnecessary to make the proposed project compatible with the surrounding area.

Section 38.080. Parking Requirements.

A. A successful TOD can significantly reduce per capita motor vehicle travel, thus parking requirements within a TOD may be reduced from the minimum standards as required by Table 37.090 of this Code. As the intent of a TOD is to encourage pedestrian activity and transit ridership, a developer may request a reduction in the number of parking spaces by City approval, providing that the developer submit information as to the forecasted trips generated in contrast to what is forecasted for transit ridership for the TOD. Requests for a reduction in parking may be approved by the City Council, following review by the DRC and Planning Commission.

B. Shared parking agreements shall be encouraged between all uses within a TOD, based upon the following:

1. Two (2) or more adjacent land uses, which have distinctly different hours of operations may qualify for shared parking. The parking requirement for the uses may be satisfied in one location accessible to all joint parking uses, and shall be based upon the use with the highest demand for parking.

2. Documentation of a shared parking agreement shall be provided during the development approval process, and shall include a document indicating a right to use the parking if not on the same parcel where the parking is located, and shall be recorded with the Utah County Recorder.

3. A licensed traffic engineer or certified transportation planner should prepare a study demonstrating modal split for project employers and/or visitors and parking demand for each anticipated use. The estimate of parking demand shall include average daily and peak period demand.

C. On-street parking is permitted and encouraged, and shall be included in the total development required parking calculations, if incorporated. On-street parking shall be included in the required parking

calculations for a use or structure which fronts, and is adjacent to the on-street parking stall.

D. Ingress and egress for parking lots shall be from side streets and/or alleys.

E. All parking lots shall be located behind or on the side of buildings. Parking and maneuvering areas shall not be located between the primary entrance to a building and the abutting street, unless its purpose is to provide a direct life-safety function. If parking is located on the side of the building, rather than at the rear, screening and buffering shall be provided to minimize the visual impact.

F. A parking lot or garage may not be adjacent to or opposite a street intersection, nor may any portion of a parking lot front a collector-size or larger classified street without specific City approval.

G. For all residential structures within a TOD, the physical and visual presence of garages shall be minimized. Where garages are attached to a residential dwelling, the visual prominence of the garage is to be minimized by recessing the garage behind the main façade of the dwelling where the garage accounts for no more than forty percent (40%) of the dwelling's façade.

Section 38.090. Variations from the Development Code and Design Standards.

In the process of approving a TOD, the Planning Commission may recommend and the City Council may approve variations from applicable standards of this Code of the Lehi City Design Standards and Public Improvements Specifications Manual if all of the following conditions are met:

- A. That the granting of the variation will not adversely affect the rights of adjacent landowners or residents.

- B. That the variation desired will not adversely affect the public health, safety or general welfare.

- C. That the granting of the variation will not be opposed to the general spirit and intent of this Chapter or the General Plan.